

REMARKS

Claims 27-30 are currently pending in the present application. Claim 30 has been amended herein. No new matter has been added by way of the present claim amendment.

Rejection under 35 U.S.C. §112, first paragraph

Claim 30 stands rejected as lacking a written description in the specification.

The Examiner has questioned the basis of the support for the claim amendments made in the previous response dated May 24, 2007. In particular, the Examiner states that the limitation of "cleaving amino acids 1-26 of said expressed protein" is not supported in the originally filed specification or Example 6.

Upon further review of the specification, Applicants note numerous instances where there is support for the claimed limitation (i.e., page 9, lines 4-9; page 10, lines 15-18; and page 29, lines 2-3) in addition to the passages pointed out in the previous response. Thus, Applicants traverse the outstanding rejection and believe that the outstanding rejection is based on semantics.

However, in order to expedite prosecution, Applicants have amended claim 30 herein to more closely parallel the language in the specification. Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection.

Double Patenting Rejection

Claims 27 and 29 stand provisionally rejected under 35 U.S.C. §101 as claiming the same subject matter as claims 7 and 8 of copending Application No. 11/330,359.

It is Applicants intent to cancel claims 7 and 8 of copending Application No. 11/330,359 in the next response to the outstanding Office Action. However, Application No. 11/330,359 is being commonly examined by Examiner Marvich and an Office Action was issued on August 27, 2007, to which Applicants have not yet responded. Because Applicants' response to the present application is due prior to the expiration period of response for the 11/330,359 application, Applicants ask that the Examiner allow the present application to pass to issue and allow Applicants to cancel claims 7 and 8 in 11/330,359 application at the time of the next response.

Allowable Subject Matter

The Examiner has objected to claim 28 as being dependent upon a rejected base claim, but otherwise allowable. However, claim 28 is in independent form, thus it is respectfully submitted that claim 28 is allowable.

In view of the foregoing, Applicants believe the pending application is in condition for allowance. A Notice of Allowance is earnestly solicited.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Monique T. Cole, Reg. No. 60,154 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: **OCT 26 2007**

Respectfully submitted,

By 

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